

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

BRUCE BLAIN,

Plaintiff,

v.

STATE FARM LLOYDS, et al.,

Defendants.

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6:16-CV-272-RP-JCM

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is Plaintiff's Motion to Remand to State Court (Dkt. 10). The case was referred to United States Magistrate Judge Jeffrey C. Manske for a Report and Recommendation on the merits pursuant to 28 U.S.C. § 636(b), Rule 72 of the Federal Rules of Civil Procedure, and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, as amended. Magistrate Judge Manske filed his Report and Recommendation on September 27, 2016 (Dkt. 13).

Pursuant to 28 U.S.C. § 636(b) and Rule 72(b) of the Federal Rules of Civil Procedure, a party may serve and file specific, written objections to the proposed findings and recommendations of the Magistrate Judge within fourteen days after being served with a copy of the Report and Recommendation, and thereby secure a de novo review by the district court. A party's failure to timely file written objections to the proposed findings, conclusions, and recommendation in a Report and Recommendation bars that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *See Douglass v. United Services Auto Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (en banc).

Defendants were properly notified of the consequences of a failure to file objections. To date, Defendants have not filed objections to the findings of fact and conclusions of law in the

Report and Recommendation. The Court, having reviewed the entire record and finding no plain error, accepts and adopts the Report and Recommendation of the magistrate judge for substantially the reasons stated therein.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge (Dkt. 13) is **APPROVED AND ACCEPTED**.

The Court **ORDERS** that Plaintiff's Motion to Remand to State Court (Dkt. 10) is **GRANTED** and **REMANDS** this case to the 52nd Judicial District Court of Coryell County, Texas, for all further proceedings.

SIGNED on October 21, 2016.

A handwritten signature in blue ink, appearing to read "R. Pitman", is written above a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE